

MARGARET H. BOOTH.

APRIL 4, 1904.—Ordered to be printed.

Mr. McCUMBER (for Mr. TALIAFERRO), from the Committee on Pensions, submitted the following

REPORT.

[To accompany H. R. 9633.]

The Committee on Pensions, to whom was referred the bill (H. R. 9633) granting a pension to Margaret H. Booth, have examined the same and report:

The report of the Committee on Invalid Pensions of the House of Representatives, hereto appended, is adopted and the passage of the bill is recommended.

The House report is as follows:

Henry Booth, the soldier named in this bill, served as a private in Company C, Thirty-second Iowa Infantry, from January 2, 1864, to April 20, 1866, when honorably discharged from Company A, Eighth Iowa Infantry, to which transferred.

He never applied for a pension, and died March 18, 1901, of pneumonia.

Margaret H. Booth, the beneficiary named in this bill, and now 52 years of age, who married the soldier on February 11, 1875, applied for pension under the act of June 27, 1890, as amended by the act of May 9, 1900. Her claim, however, was rejected in January, 1903, upon the ground that she was not dependent upon her daily labor for a support as contemplated by these laws, the evidence obtained upon special examination showing that her annual income was in excess of \$250.

It is shown that the soldier left a house and lot worth between \$4,500 and \$5,000, which is used as a home by the beneficiary, and that the beneficiary has two other pieces of property, in one of which, however, she has only an undivided interest; that she obtains rent from these two pieces of property amounting to \$319.80 per year, leaving her as her actual net income after the payment of taxes and insurance about \$175 per annum.

The Pension Bureau, however, takes into consideration the fact that she is the owner of a homestead which, if rented, would increase her income by about \$30 to \$35 per month.

As has been repeatedly said by your committee, the words in the act of May 9, 1900, "an actual net income not exceeding two hundred and fifty dollars per year," were meant to mean not an income derived or derivable, but an actual net income, the words "derived or derivable," which appeared in the Senate act when it reached the House having been stricken out by the House and the amendment concurred in by the Senate.

It being shown that the beneficiary does not receive an actual net income of \$250 per year, relief to the extent of granting her the pension provided by the act of June 27, 1890, namely, \$8 per month, is justified, and the bill is therefore reported back with the recommendation that it pass.

